



Department of Defense **INSTRUCTION**

September 18, 1997
NUMBER 1200.15

DR

SUBJECT Assignment to and Transfer Between Reserve Categories, Discharge from Reserve Status, Transfer to the Retired Reserve, and Notification of Eligibility for Retired Pay

References: (a) DoD Directive 1200.15, subject as above, February 16, 1973 (canceled)
(b) Title 10, United States Code
(c) Appendix II of title 50, United States Code, "The Military Selective Service Act"
(d) DoD Directive 1200.7, "Screening the Ready Reserve," April 6, 1984
(e) DoD Directive 1235.9, "Management and Mobilization of the Standby Reserve," July 8, 1986
(f) DoD Instruction 1215.19, "Uniform Reserve, Training and Retirement Category Administration," March 14, 1997

A. REISUANCE AND PURPOSE

This Instruction updates and reissues reference (a) as a DoD Instruction under the authority of references (b) and (c) to clarify DoD policy and guidance to the Military Departments for the following:

1. Assignment of military personnel to, and transfer between, Reserve categories and discharge from Reserve status.
2. Transfer of Reserve **officer** and enlisted personnel who have completed the service required for a **nonregular** retirement to the Retired Reserve.
3. Notification of members of the respective Reserve components by the Military Departments when the member has completed the years of service required for eligibility for retired pay at age 60.

B. APPLICABILITY

This Instruction applies to the **Office** of the Secretary of Defense and the Military Departments (including the Coast Guard when it is not operating as a Military Service in the Department of the Navy by agreement with the Department of Transportation), the Chairman of the Joint Chiefs of Staff, and the Combatant Commands (hereafter referred to collectively as "the DoD Components). The term "Military Departments," as used herein, refers to the Departments of the Army, the Navy, the Air Force, and the Coast **Guard** when it is not operating as a Service in the Department of the Navy.

c. POLICY

It is DoD policy under 10 U.S.C. and Appendix II of title 50 U.S.C. Appendix (references (b) and (c)) that Reserve component members be transferred between Reserve categories, discharged, retired, and receive notification of eligibility for retired pay at age 60.

D. RESPONSIBILITIES

1. The Assistant Secretary of Defense for Reserve Affairs, under the Under Secretary of Defense for Personnel and Readiness, shall monitor compliance with this Instruction.

2. The Secretaries of the Military Departments and the Commandant of the Coast Guard shall publish guidance to implement this Instruction.

E. PROCEDURES

1. Transfer Between Reserve Categories

a. Ready Reserve membership maybe attained by

(1) Transfer as required on release from active duty under Sections 651 and 10145 of reference (b).

(2) Appointment as a Reserve **officer** and assignment to the Ready Reserve under Section 456(d) of reference (c) and Section 10145 of reference (b);

(3) Entry (appointment or enlistment) into the Army National Guard of the United States or Air National Guard of the United States, in accordance with Sections 12102, 12107, 12201, 12211, and 12212 of reference (b);

(4) Enlistment under Section 12103 of reference (b); or

(5) Appointment or enlistment of an individual into the Ready Reserve under Chapters 1203 and 1205 of reference (b).

b. Standby Reserve, without prior membership in the Ready Reserve, maybe attained, in accordance with Section 10146 of reference (b).

c. Transfer to the Standby Reserve

(1) Transfer to the Standby Reserve from the Ready Reserve is authorized under Section 101 46(a) of reference (b)

(2) Transfer to the Standby Reserve under the screening process, in accordance with Section 10149 of reference (b) shall be accomplished under DoD Directive 1200.7 (reference (d)).

(3) Transfer to the Standby Reserve of members of the Army National Guard of the United States or the Air National Guard of the United States shall be subject to Section 10146(c) of 10 U.S.C. (reference (b)), which provides for the consent of the governor, or other applicable authority of the State, for such a transfer.

(4) On transfer of a member of the Ready Reserve to the Standby Reserve, the Military Department concerned shall develop policies and procedures, in accordance with DoD Directive 1235.9 (reference (e)).

(5) Assignment to the Inactive Status List of the Standby Reserve and retention thereon is governed by Section 10152 of reference (b), and reference (e).

d. Transfer from the Standby Reserve

(1) In accordance with Section 10150 of reference (b), any member of the Standby Reserve who has not completed his or her required period of military service in the Ready Reserve may be transferred to the Ready Reserve when the reason for transfer to the Standby Reserve no longer exists, provided the member is otherwise qualified and a requirement exists.

(2) Subject to such regulations as the Secretary of a Military Department may prescribe, a member of either the Standby Reserve or the Retired Reserve may, on the member's request, be transferred to the Ready Reserve if qualified and a requirement exists. A member of the Retired Reserve who is entitled to retired pay may not be transferred to the Ready Reserve unless the Secretary concerned makes a special finding that the member's services in the Ready Reserve are indispensable.

2. Discharge

a. Enlisted members of the Ready Reserve or the Standby Reserve not on active duty who have completed their statutory obligation or who are not otherwise subject to a military obligation shall be discharged on the completion of their obligation or on the expiration of their enlistment, as the case may be, unless they do the following:

(1) Voluntarily reenlist to serve in the Ready Reserve or Standby Reserve; or

(2) Where applicable, extend their enlistment to remain in the Ready Reserve or Standby Reserve; or

(3) Request transfer to the Inactive Status List of the Standby Reserve under reference (e).

b. A Service member, on written application, maybe discharged from a Reserve component of a Military Service if the Service member has become a member of the clergy and establishes as follows, **that**:

- (1) The ministry is his or her main primary vocation.
- (3) His or her religious faith group is recognized substantially for religious purposes.
- (4) His or her standing in the faith group is recognized as that of a minister or leader.
- (5) He or she is certified by an applicable **official** of the faith group to be a fully qualified member of the clergy **in** good standing.

c. Those commissioned officers of the Reserve who have accepted indefinite appointments under Section 12203 of 10 **U.S.C.** (reference (b)) shall not be subject to mandatory discharge on completion of the **statutory** obligation.

3. Transfer to the Retired Reserve

a. The Secretaries of the **Military** Departments:

(1) Shall assign or transfer to the Retired Reserve any member of a Reserve component who is retired under Section 3911, 6323, or 8911 of reference (b).

(2) Shall assign, on application, to the Retired Reserve all personnel who belong in the categories listed in subsection F.4. of DoD Instruction 1215.19 (reference (f)).

(3) May assign or transfer to the Retired Reserve, upon application, any member of a Reserve component who has been found physically disqualified for active duty, not as a result of the member's misconduct, regardless of total years of service if more than 30 percent disabled in accordance with Section 1201, 1202, 1204, or 1205 of reference (b).

b. Identification Cards for Retirees or **Separatees**. A Uniformed Services identification card shall only be issued to individuals who are assigned or transferred to the Retired Reserve under paragraph E.3.a., above.

c. Removal **from** Active Status. Reservists who have qualified for retirement under Chapter 1223 of reference (b), except for having reached 60 years of age, are required to attain 50 points annually during their anniversary year to be retained in the Ready Reserve or on the active status list, Standby Reserve. Waiver of that requirement on a one-time basis maybe made under exceptional circumstances by the Secretary of the Military Department concerned.

4. Notification of **Eligibility** for Retired Pay

a. The Secretary of each Military Department shall provide a notification to each person who has met the conditions for eligibility for retired pay at age 60 under Section 12731 of reference (b), unless retired under Section 1273 1a of reference (b).

b. The notification shall be issued within 1 year after the person concerned has completed all eligibility requirements. Members who retire under Section 12732a of 10 U.S.C. (reference (b)) receive their notification letters after retirement.

c. After a person has been granted retired pay under Chapter 1223 of reference (b) or has been notified, in accordance with this Instruction that the member has completed the years of service required for eligibility for retired pay at age 60, that eligibility may not be denied or revoked on the basis of any error, miscalculation, **misinformation**, or administrative determination of years of service performed, unless it resulted directly from fraud or misrepresentation by the individual concerned.

d. The number of years of creditable service on which retired pay is computed maybe adjusted to correct any error, miscalculation, misinformation, or administrative determination. When such a correction is made, Service members are entitled to retired pay, in accordance with the number of years of creditable service, as corrected, from the date they were originally granted retired pay.

e. The letter of notification shall include the provision that a member who later becomes eligible for retired pay from an Armed Force or retainer pay as a member of the Fleet Reserve or Fleet Marine Corps Reserve under any provision of law other than under Chapter 1223 of reference (b) shall not be entitled to retired pay under Chapter 1223 of reference (b).

f. Due to the restrictions on denial or revocation of eligibility for retired pay, as stated in paragraph E.4.c., above, suitable controls and procedures shall be established to avoid errors, miscalculations, misinformation, and **erroneous** administrative determinations.

g. The notification shall be issued in the name of an **official** having general responsibility for administering the controls and procedures referred to in paragraph E.4.f., above, and shall be authenticated by the handwritten signature of the **officer** or employee immediately responsible for the determination of the eligibility of the member being notified.

h. The granting of retired pay to a person under Chapter 1223 of reference (b) is conclusive as to that person's entitlement to such pay.

F. EFFECTIVE DATE

This Instruction is effective immediately.



Deborah R. Lee
Assistant Secretary of Defense
for Reserve Affairs